

United States District Court District of Massachusetts

UNITED STATES OF AMERICA,

v.

CRIMINAL NO. 2005-10153-GAO

JIANGYO ZHU,
KAYOKO KIMBARA,
Defendants.

ORDER OF EXCLUDABLE DELAY

COLLINGS, U.S.M.J.

The Court orders the following period of time excludable from the time period within which trial must commence:

6/16/2005 - Indictment returned.

7/5 - 6/2005 - Filing to ruling on Motion #26.

7/11/2005 - Arraignment

7/12 - 8/10/2005 - Excluded as per L.R. 112.2(A)(2)

7/25 - 8/11/2005 - Filing to ruling on Motion #32.

8/11 - 9/12/2005 - Continuance granted so that newly appointed counsel (FPD Conrad) can familiarize herself with the case.. I find that the ends of justice

served by granting the continuance outweigh the interest of the public and the defendants in a speedy trial.

9/28/2005 - Conference held.

9/29 - 11/8/2005 - Continuance granted so that the defendants' counsel can inspect the physical evidence in the custody of Harvard University. I find that the ends of justice served by granting the continuance outweigh the interest of the public and the defendants in a speedy trial.

Thus, as of November 8, 2005, THIRTY-THREE (33) non-excludable days will have occurred leaving THIRTY-SEVEN (37) days left to commence trial so as to be within the seventy-day period for trial set by statute.

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

September 28, 2005.